

REMARKS

Claims 39-68 are pending in the application. No claims have been amended. Claims 1-38 have been canceled. This amendment does not add new matter. In view of the following Remarks, allowance of all the pending claims is requested.

REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-38 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application No. 2004/0268314 to Pardon et al. ("Pardon") in view of U.S. Patent No. 6,671,686 to Kollman et al. ("Kollman"), and further in view of U.S. Patent No. 6,748,555 to Teegan et al. ("Teegan"). The Examiner also appears to rely on a reference referred to only as "Tacaille" in the Office Action. Applicant believes that this reference is U.S. Patent No. 7,099,879 to Tacaille et al. ("Tacaille"). Applicant requests that the Examiner confirm that this is in fact the reference being used to reject the claims.

Applicant traverses these rejections for at least the reasons that the references relied upon, either alone or in combination with one another, do not teach or suggest all the features of the claimed invention. Nonetheless, in order to clarify the claims, Applicant has canceled claims 1-38 and replaced them with new claims 39-68. The cited references, either alone or in combination with one another, do not teach or suggest every feature of the claimed invention.

For example, the Examiner acknowledges that Pardon fails to teach an analyzer component operable to: "monitor...a second set of one or more parameters associated with the one or more database calls; identify the at least one process that generated the one or more database calls by correlating the first set of one or more parameters with the second set of one or more parameters;" as recited in claim 39, but alleges that Kollman teaches these features. (Office Action at page 3). However, Kollman appears to describe a framework for providing correlation data for events in a distributed computing system (see e.g., Kollman, para. 0010) but appears to be silent with regard to monitoring parameters associated with database calls. Furthermore, the portions of Kollman cited by the Examiner apparently describe various types of identifiers used to

correlate events. (See e.g., Kollman, paras. 0039-0045). Kollman appears to describe use of these identifiers, in part, to overcome problems associated with tracking events in a distributed environment such as timestamps across different platforms not being synchronized. (See e.g., Kollman, paras. 0004, 0055). None of the identifiers of Kollman are derived from a database call. Thus, the “second set of the one or more parameters” set forth in claim 39, for example, are not the identifiers described by Kollman. Teegan and Tacaille fail to address this deficiency of Pardon and Kollman. Thus, for at least this reason, the references relied upon by the Examiner, either alone or in combination with one another, fail to teach or suggest all the features of the claimed invention. Accordingly, claim 39 must be allowed.

Furthermore, the Examiner admits that Pardon, Kollman, and Teegan do not teach an analyzer component operable to: “monitor substantially continuously a first set of one or more parameters associated with the at least one process” nor “monitor substantially continuously a second set of one or more parameters associated with the one or more database calls” as recited in claim 39, for example. The Examiner alleges that Tacaille cures this defect. However, Tacaille appears to describe monitoring service performance in telecommunications networks. (See e.g., Tacaille, col. 2, ll. 40-49). The parameters of Tacaille are “indicative of such things as usage, error rates, and service performance.” (See e.g., Tacaille, col. 6, ll. 33-41). Therefore, the parameters recited in claim 39 as set forth above, for example, are not the parameters described by Tacaille. The Pardon, Kollman, and Teegan fail to cure this defect of Tacaille. Accordingly, for at least this reason, the references relied upon by the Examiner, either alone or in combination with one another, fail to teach or suggest all the features of the claimed invention. As such, claim 39 must be allowed.

For at least these reasons, the references relied upon by the Examiner, either alone or in combination with one another, fail to disclose, teach, or suggest all the features of claim 39. As such, claim 1 must be allowed. Claims 49 and 59 recite features similar to claim 39. Therefore, for these claims must allowed for at least the reasons set forth above with regard to claim 39. Claims 40-48, 50-58, and 60-68 depend from and add features to claims 39, 49, and 59, respectively. Therefore, these

dependent claims must be allowed for at least the reasons set forth above with regard to claims 39, 49, and 59.

CONCLUSION

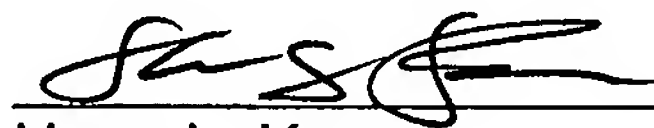
Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: **October 26, 2007**

Respectfully submitted,

By:



Hean L. Koo

Registration No. 61,214

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
Main: 703-770-7900
Direct Dial: 703-770-7673
Fax: 703-770-7901